

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 DANIEL ROBBINS,

4 Petitioner,

5 v.

6 JERRY HOWELL, et. al,

7 Respondents.

Case No. 2:19-cv-02153-APG-VCF

ORDER

8 On March 5, 2020, petitioner Daniel Robbins, proceeding pro se, moved for additional
9 time to file an amended habeas petition. ECF No. 11. The respondents do not oppose the request
10 as long as their non-opposition is not construed as a concession as to the merits of any of
11 Robbins' claims or a waiver to any procedural defenses. ECF No. 13. On March 24, 2020,
12 attorney Lisa A. Rasmussen entered a notice of appearance on behalf of Robbins. ECF No. 14.

13 Given that the respondents have yet to file a response to the initial petition and do not
14 oppose Robbins' request, I will grant the motion (ECF No. 11), which I construe as a motion for
15 leave to amend. *See* Fed. R. Civ. P. 15(a)(2) (permitting leave to amend with the opposing
16 party's written consent and advising court to "freely give leave when justice so requires").

17 I THEREFORE ORDER that the petitioner's motion for leave to file an amended petition
18 **(ECF No. 11) is GRANTED.** Robbins' amended petition is due on **June 22, 2020.** I make no
19 assurances as to the timeliness of the amended petition or any claims contained therein.

20 I FURTHER ORDER that the scheduling order entered on February 24, 2020 **(ECF No.**
21 **7) is VACATED.** The court will enter a new schedule after Robbins files an amended petition.

22 Dated: May 21, 2020.

23 
ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE